



BOX SEQUENCE  
PATENT  
2750-1300P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT(S): N. ALEXANDROV et al. Conf: 5607  
APPLICATION NO.: 09/692,717 Group: 1631  
FILED: October 20, 2000 Examiner: SHEINBERG, M  
FOR: SEQUENCE-DETERMINED DNA FRAGMENTS AND  
CORRESPONDING POLYPEPTIDES ENCODED THEREBY

#8/A  
Plunkett  
5/8/02

AMENDMENT WITH RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner of Patents  
Washington, D.C. 20231

April 9, 2002

Sir:

In response to the USPTO communication dated October 9, 2001, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

IN THE SPECIFICATION

Please replace the table on page 1 line 7 with the following amended table:

AI

File Name	Date of Creation	File Size
2750-1300P.ST25	April 9, 2002	156 KB
Amended Protein Domain Table	April 9, 2002	2.10 MB

Please replace the compact disks labeled "Copy 1" and "Copy 2" filed on October 20, 2000 with the two compact disks labeled "Replacement Copy 1" and "Replacement Copy 2" enclosed herewith.

## REMARKS

### *Sequence Listing*

Enclosed herewith in full compliance to 37 C.F.R. §§1.821-1.825 is a Substitute Sequence Listing submitted on two (2) identical CD-Rs (labeled "Replacement Copy 1" and "Replacement Copy 2") under 37 C.F.R. §1.821(c) in place of the paper copy. The computer readable form of the Substitute Sequence Listing is submitted herewith on one (1) additional CD-R (labeled "Computer Readable Form") as required by §1.821(e). These three (3) sequence listing files, file "2750-1300P.ST25", on three (3) CD-Rs are identical and in no way introduce new matter into the specification.

The Substitute Sequence Listing has been amended to include SEQ ID NO: 812. SEQ ID NO: 812 is the nucleotide sequence originally described as gene 9 from sequence >6087919, as shown in Table 1 of the Specification.

Also on the two (2) identical CD-Rs labeled "Replacement Copy 1" and "Replacement Copy 2" is an amended version of the Protein Domain Table, file "Amended Protein Domain Table", submitted in a clean form without markings as to amended material. The Protein Domain Table was originally filed on CD-R as file "001018 Protein Domain Table". The amendments to the Protein Domain Table are being made to reference the sequences containing four or more amino acids disclosed in the specification by their SEQ ID NOS. No new matter is introduced by these amendments or by the submission of a new protein domain table file.

As required under 37 C.F.R. §1.121, a marked-up copy of the Protein Domain

Table, file "Marked Protein Domain Table", is enclosed herewith on a fourth compact disk labeled "Disk with Markings". This marked-up copy file shows the matter being added to and the matter being deleted from the Protein Domain Table of record. This file shows the material being added to the Protein Domain Table by including the tags "<u>" before and "</u>" after any amendments that were added to this file. Any material deleted from the Protein Domain Table of record is tagged with a "<b>" before and a "</b>" after the deleted material. No new matter is being added by these amendments.

The format for submitting these amendments made to the Protein Domain Table filed on CD-R and for submitting a marked-up version of the changes made to the Protein Domain Table on CD-R was recommended by Michael Lewis and Joe Narcavage from the Office of Patent Legal Administration who indicated that this was currently the most acceptable format for amending CD-R files. Submitting substitute compact disks gives the Patent Office the advantage of saving the time needed to enter the large volume of amendments in the specification and reducing the number of printing errors. It also saves the Applicant and the Patent Office the space needed to print and store the 800+ pages associated with the paper copy of the file "Amended Protein Domain Table".

*Restriction Requirement*

The examiner has required a restriction between the claims of group I (claims 1-10), group II (claim 11), group III (claim 12), group IV (claims 13-14), group V (claim 15), group VI (claim 16) and group VII (claims 17-20).

Applicants choose to prosecute the claims of group I (claims 1-10). Applicants further elect the nucleotide sequence identified as gene 9 (SEQ ID NO: 812) from

sequence >6087919, as described in Table 1 of the Specification.

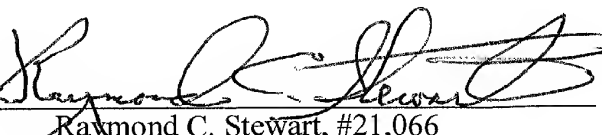
If the examiner has any questions concerning this response which can be resolved by telephone, the examiner is requested to contact the undersigned at (703) 205-8000.

*Extension of Time*

Pursuant to 37 C.F.R §§ 1.17 and 1.136(a), the applicant respectfully petitions for a five (5) month extension of time for filing a response in connection with the present application and the required fee of \$980.00 should be **charged to Deposit Account No. 50-1055.**

If the Primary Deposit Account No. 50-1055 is deficient and non-payment will result in a loss of rights, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,  
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
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Attachments: One (1) CD-R of computer readable form of the Sequence Listing  
Two (2) CD-Rs of the Sequence Listing in place of the Paper Copy  
One (1) CD-R with markings to show changes made to the table

RCS/DRN/BCF